

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration 500 West Temple Street, Room 713, Los Angeles, California 90012 (213) 974-1101 http://ceo.lacounty.gov Board of Supervisors HILDA L. SOLIS First District

MARK RIDLEY-THOMAS Second District

SHEILA KUEHL Third District

DON KNABE Fourth District

MICHAEL D. ANTONOVICH Fifth District

Interim Chief Executive Officer

"To Enrich Lives Through Effective And Caring Service"

August 04, 2015

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

22 August 4, 2015

PROPOSITION 218 BALLOTS – CITY OF MALIBU ASSESSMENT DISTRICT NO. 2015-1 CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1

PATRICK OAWA

ACTING EXECUTIVE OFFICER

SUBJECT

Support for the proposed City of Malibu Assessment District No. 2015-1, to install and construct a Civic Center Wastewater Treatment Facility and Recycle Water Facility – Phase 1 in the City of Malibu for a one-time estimated cost to the County of Los Angeles of \$1,844,004.73.

(THIRD DISTRICT) (3 VOTES)

IT IS RECOMMENDED THAT THE BOARD:

- 1. Support the proposed new City of Malibu Assessment District No. 2015-1 (District), which would provide funding for the installation and construction of a wastewater treatment facility and recycled water facility serving properties within the boundaries of the Assessment District at a one-time cost to the County of Los Angeles of approximately \$1,844,004.73 to be paid in a lump sum or in installments over 30 years at the discretion of the proprietor departments.
- 2. Instruct the Interim Chief Executive Officer (CEO), to cast the ballots supporting the assessments for the properties.

The Honorable Board of Supervisors 8/4/2015 Page 2

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Support for the proposed new City of Malibu Assessment District No. 2015-1 (District) will facilitate financing for the installation and construction of a wastewater treatment facility and recycled water facility within the proposed District. The District contains four County-owned parcels: Assessor's Parcel No. (APN) 4458 002 900 occupied by Fire Station 88 located at 23720 West Malibu Road, Malibu; APN 4458-022-906 (previously parcel 904), which is the Malibu Administrative Center, located at 23525 West Civic Center Way, Malibu; and two unimproved vacated road parcels, APNs 4458-020-900 and -901, located at the egress and ingress from Pacific Coast Highway on to Web Way, Malibu, respectively.

The cost of individual wastewater and recycled water connections on private property to the system is not included in the work to be financed through the District. Individual wastewater and recycled water fees associated with ongoing operations and maintenance will be paid to the City of Malibu (City) directly.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan of Operational Effectiveness/Fiscal Sustainability (Goal1) directs that we maximize the effectiveness of structure, operations, and strong fiscal management to support timely delivery of customer-oriented and efficient public services, and Integrated Services Delivery (Goal 3) directs that we maximize opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services. Support for the District to fund a wastewater treatment facility and recycled water facility will provide water reclamation within the District in a safe and cost-effective way.

FISCAL IMPACT/FINANCING

The proposed District's total assessment amount is \$49,750,000, to provide funding for the installation and construction of a wastewater treatment facility and recycled water facility. The total of the assessments to be levied on the County properties is \$1,844,004.73, or 3.71 percent of the project (Attachment 1).

If the assessments are confirmed by ballots, new notices will advise of the option to pay all of the final assessment, or allow it to go to bond over a period of not more than 30 years from the second day of the next September following the date of issuance of the bonds and/or the execution of one or more loans from the California State Water Resources Control Board (or other State agencies). Under the 30-year payment option, the assessments will not be levied for approximately two years following the issuance of the municipal bonds as a result of the capitalized interest which will be funded during such time. However, under the up-front, one-time payment option, the assessment, less financing costs, will be due and payable within 60 days after the assessment is approved.

This cost will be paid by the Rent Expense budget and charged to the benefitting departments. Approximately 22 percent of the assessments, in the amount of \$408,202, will be net County cost (Attachment 2). As this proposed assessment district was unanticipated, a budget adjustment in the Fiscal Year (FY) 2015-16 budget to service the required appropriations will be required.

The actual assessment amount may be reduced if cost savings are realized during construction, in which case, future assessments would be proportionately reduced and rebates would be issued to property owners who paid the assessment in a lump-sum during the one-time cash payment option.

The Honorable Board of Supervisors 8/4/2015
Page 3

The proposed total assessment assumes an interest rate on the bonds of approximately 6 percent. Annual City administrative fees will be approximately \$25,000. The annual City administrative fees escalate annually based on the increase in the Consumer Price Index (All Urban Consumers, for Los Angeles-Riverside-Orange County) as of January 1st of each year, not to exceed 5 percent. The proposed total assessment on properties as identified on the ballots cannot be increased without another assessment hearing and re-balloting.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

With the passage of Proposition 218, property owned by government agencies became subject to assessment by various County and non-County assessment districts on July 1, 1997. The County, like other property owners, is able to cast ballots supporting or opposing the assessments, and its ballots will be weighted to reflect its proportionate share of the total assessment. Publicly owned properties are not exempt from the assessment unless the parcels receive no special benefit. The assessing agency cannot increase an assessment or impose a new assessment if a majority of the ballots returned opposes the proposed assessment (Attachment III).

The City Council has commenced proceedings to secure property owner approval for the proposed new District. The City Council has scheduled a public hearing on the matter for August 10, 2015, and the ballots must be delivered to the City prior to the hearing date.

The method of assessment is quantified in terms of wastewater flow rates, and organic loads for developed parcels are based upon actual building square footage and uses. For vacant properties, it is based upon the wastewater flow rates and organic loads that correlate with the highest and best use of the property.

The Chief Executive Office (CEO) has determined that the services to be financed by the District will be of sufficient benefit to warrant the Board's support, and therefore, recommends that you direct the Interim Chief Executive Officer to cast the ballots (Attachment 3) in support of the property assessments.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The services to be financed by the District will ensure compliance with the Memorandum of Understanding regarding phased implementation of the basin plan amendment prohibiting on-site wastewater disposal systems in the Malibu Civic Center area entered into by and between the City, the Regional Water Quality Control Board (RWQCB), Los Angeles Region (Los Angeles Water Board), and the State Water Resources Control Board. The City anticipates construction to commence in December 2015, and is under a prohibition from the RWQCB to have the facility operational by June 2017.

The Honorable Board of Supervisors 8/4/2015
Page 4

CONCLUSION

It is requested that the Executive Office, Board of Supervisors, return the adopted stamped Board letter to the CEO, Real Estate Division, 222 South Hill Street, 4th Floor, Los Angeles, CA 90012.

Respectfully submitted,

un Jones for

SACHI A. HAMAI

Interim Chief Executive Officer

SAH:TT:CMM SDH:RC:ns

Enclosures

c: Executive Office, Board of Supervisor

County Counsel Auditor-Controller District Attorney

Fire

Public Defender Public Library Public Works

Sheriff

Superior Court-West District

ATTACHMENT 1

PROPOSITION 218 BALLOT – CITY OF MALIBU ASSESSMENT DISTRICT NO. 2015-1 CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1

	COUNTY-OWNED FACILITIES	<u>AS</u>	SESSMENT FEE
1.	APN 4458-002-900 FIRE STATION 88 23720 W MALIBU ROAD MALIBU 90265	\$	90,142.03
2.	APN 4458-020-900 ROAD PROPERTY-VACATION OF PACIFIC COAST HWY AT WEB WAY MALIBU 90265		146,942.57
3.	APN 4458-020-901 ROAD PROPERTY-VACATION OF PACIFIC COAST HWY AT WEB WAY MALIBU 90265		91,130.40
4.	APN 4458-022-904 MALIBU ADMINISTRATIVE CENTER 23525 WEST CIVIC CENTER WAY MALIBU 90265	1,	515,789.73

\$ 1,844,004.70

ATTACHMENT 2

County of Los Angeles - Chief Executive Office Prop 218 City of Malibu - Wastewater Treatment Facility and Recycled Water Facility Assessment District Cost Allocation for County-owned Property in the Malibu Civic Center Area

					•
A DNI Nivembor	Duilding	Department	Total	Dilla la la	No. 50 H. J.
APN Number	Building	Department	Assessment	Billable	Non-Billable
		Fine			
4458-002-900	Fire Station 88	Fire Department	\$90,142	\$90,142	
		Subtotal	\$90,142	\$90,142	
		Subtotal	\$ 9 0,142	390,142	
			•		
458-022-906	Malibu Admin Ce	enter and Courthou	ise		
	District Attorney		\$36,227		\$36,227
	Public Defender	•	10,156		10,156
	Public Library		320,135	320,135	
	Public Work - Sev	wer	7,731	7,731	
	Public Works - W	aterworks	377,280	377,280	
	Sheriff- Court Ser	vices	1,213	1,213	
	Superior Court - \	West District	401,229	401,229	
	Vacant - Rent Exp	ense	347,267		347,267
	Sheriff Patrol		10,914		10,914
	Other – Non-Cou	inty Users	3,638		3,638
		Subtotal	\$1,515,790	\$1,107,588	\$408,202
					·
458-020-900 /			4	•	
458-020-901	Vacant Property		\$238,073	\$238,073	
		Subtotal	\$238,073	\$238,073	
		Total	\$1,844,005	\$1,435,803	\$408,202

MALIBU CA 90265

BALLOT

OWNER OF RECORD:

014

ATTACHMENT 3



Please make sure that you re-fold and insert this sheet so that your name and the property address show through the upper left window of the Return Envelope.

CITY OF MALIBU 23825 Stuart Ranch Road Malibu, California 90265

Tel: 310-456-2489 Ext. 247

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L A COUNTY CONSOLIDATED FIRE PRO DIST 23720 MALIBU RD

L A COUNTY CONSOLIDATED FIRE PRO DIST 500 W TEMPLE ST STE 754 LOS ANGELES CA 90012-2700

PROPERTY OWNER ASSESSMENT BALLOT

CITY OF MALIBU **ASSESSMENT DISTRICT NO. 2015-1** (CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)

The City of Malibu is proposing to levy new assessments in the proposed City of Malibu Civic Center Assessment District No. 2015-1 (Wastewater Treatment Facility - Phase 1) that includes your property. The purpose of the assessment is to fund the estimated costs of installing and constructing wastewater treatment facilities and recycled water facilities serving the property within the District No. 2015-1 and all related administrative, financing and incidental costs, including the costs of forming Assessment District No. 2015-1. On August 10, 2015, at 6:30 p.m., the City Council of the City of Malibu will hold a public hearing in the City Hall Council Chambers, 23825 Stuart Ranch Road, Malibu, California, to take public testimony, hear protests, tabulate the Assessment Ballots and take final action on the levy of the assessments. Ballots must be received by the City Clerk prior to the close of the Public Hearing.

Proposition 218, approved by the voters in 1996, provides for property owners to determine by ballot whether or not they approve of new or increased assessments. Your assessment ballot is below.

Please mark the box and fill out your ballot in ink. Do not use pencil.

To complete your ballot below, mark an (X) in the voting square after the word "YES" or after the word "NO". Ballots must be completed in ink. Mark only one box. The person completing and submitting this assessment ballot must be the record owner for the property identified above or the representative for the record owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the record owner. If there are two or more property owners, only one needs to sign and return the ballot. THE ASSESSMENT BALLOT MUST BE SIGNED IN ORDER FOR IT TO BE COUNTED.

Please see the "Summary of Assessment Ballot Procedures" on the back of this sheet.

For additional information about the assessment for the District, please contact the Public Works Department.

ASSESSMENT DISTRICT NO. 2015-1 (CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)

Assessment Number: 014

Assessor's Parcel Number: 4458-002-900

Owner Name: L A COUNTY CONSOLIDATED FIRE PRO DIST

Maximum A	Assessment for this Parcel: \$90,14	42.03		
I am IN FAVOR of City of Malibu Asse Wastewater Treatment Facility - Phase 1) a and the annual administrative cost assess	ssment District No. 2015-1 (Civic Center and the levying of the Proposed Assessment sment	YES		
I am OPPOSED to City of Malibu Assessment District No. 2015-1 (Civic Center Wastewater Treatment Facility - Phase 1) and the levying of the Proposed Assessment NO and the annual administrative cost assessment				
I hereby declare under penalty of perjury to parcel defined above.	that I am the record owner, or the authorized	d representative	of the record owner for the	
Printed Name	Signature		 Date	

If you are the owner of the property described on the enclosed ballot, or the authorized representative of the record owner, you may submit the enclosed ballot to the City to support or oppose the City of Malibu Assessment District No. 2015-1 (Civic Center Wastewater Treatment Facility – Phase 1) (the "Assessment District"). Please follow the instructions below to complete and return your ballot.

- 1. Register your vote on the enclosed ballot in favor or against the proposed Assessment District by placing an "X" in the corresponding box.
- 2. Mark and sign your ballot in ink. (Assessment Ballots received without a signature will not be counted.) Do not use pencil.
- 3. Refold and insert your ballot into the provided return envelope and seal the envelope. The barcode and your name and property address must show through the upper left window on the return envelope.
- 4. Mail or personally deliver your ballot to the City Clerk of the City of Malibu, 23825 Stuart Ranch Road, Malibu, CA 90265. The City *must* receive <u>mailed</u> assessment ballots by August 10, 2015. **Postmarks will not be accepted.**
- 5. Assessment Ballots must be <u>received</u> by the City Clerk prior to the close of the Public Hearing concerning the proposed Assessment District on Monday, August 10, 2015, at the Malibu City Hall Council Chambers. The Public Hearing is scheduled for 6:30 p.m. Any ballots received after the close of the Public Hearing cannot legally be counted.
- 6. Following the close of the Public Hearing, the City Clerk or designee will tabulate the assessment ballots received. The ballots are weighted by the assessment amount for each property. (Simplified, this means one vote per each dollar of assessment.)
- 7. The Assessment District may be confirmed unless a majority protest exists. A majority protest exists if, upon the close of the August 10, 2015 Public Hearing, the monetary value of the ballots submitted in opposition to the Assessment District exceeds the monetary value of the ballots submitted in favor of the Assessment District.
- 8. If a majority protest exists based upon the value of the ballots received by the City Clerk, prior to the close of the August 10, 2015 Public Hearing, the Assessment District will not be formed.
- 9. Your assessment ballot is <u>not</u> confidential and may be subject to public disclosure.

The information in this notice and the accompanying materials were compiled and are distributed at public expense by the City of Malibu in compliance with Proposition 218. This information is presented in the public interest. It is not intended to influence or attempt to influence the actions of the voters to vote "yes" or "no" on the enclosed ballot.

037

OWNER OF RECORD:

LA COUNTY PUBLIC - COUNTY + COMMERCIAL MALIBU CA 90265

Please make sure that you re-fold and insert this sheet so that your name and the property address show through the upper left window of the Return Envelope.



CITY OF MALIBU 23825 Stuart Ranch Road Malibu, California 90265

Tel: 310-456-2489 Ext. 247

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LA COUNTY 500 W TEMPLE ST STE 754 LOS ANGELES CA 90012-2700

BALLOT

PROPERTY OWNER ASSESSMENT BALLOT

CITY OF MALIBU
ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)

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For additional information about the assessment for the District, please contact the Public Works Department.

ASSESSMENT DISTRICT NO. 2015-1 (CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)

Assessment Number: 037

Ov	sessor's Parcel Number: 4458-020-901 vner Name: LA COUNTY ıximum Assessment for this Parcel: \$91,13	30.40	
Wastewater Treatment Facility and the annual administrative I am OPPOSED to City of M	alibu Assessment District No. 2015-1 (Civic Center - Phase 1) and the levying of the Proposed Assessment	YES	
I hereby declare under penalty parcel defined above.	of perjury that I am the record owner, or the authorize	d representative	e of the record owner for the
Printed Name	Signature		Date

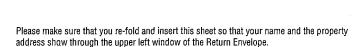
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MALIBU CA 90265







CITY OF MALIBU 23825 Stuart Ranch Road Malibu, California 90265

Tel: 310-456-2489 Ext. 247

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LA COUNTY 500 W TEMPLE ST STE 754 LOS ANGELES CA 90012-2700

BALLOT

PROPERTY OWNER ASSESSMENT BALLOT

CITY OF MALIBU

ASSESSMENT DISTRICT NO. 2015-1
(CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)

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For additional information about the assessment for the District, please contact the Public Works Department,

ASSESSMENT DISTRICT NO. 2015-1 (CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)

Assessment Number: 036

Assessor's Parcel Number: 4458-020-900

Owne	r Name: LA COUNTY num Assessment for this Parcel: \$146,	942.57	
Wastewater Treatment Facility - Ph and the annual administrative cos	ou Assessment District No. 2015-1 (Civic Center lase 1) and the levying of the Proposed Assessment t assessment u Assessment District No. 2015-1 (Civic Center	YES	
	ase 1) and the levying of the Proposed Assessment		
I hereby declare under penalty of parcel defined above.	perjury that I am the record owner, or the authorize	ed representative	e of the record owner for the
Printed Name	Signature		Date

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LA COUNTY 23519 CIVIC CTR WY MALIBU CA 90265

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CITY OF MALIBU 23825 Stuart Ranch Road Malibu, California 90265

Tel: 310-456-2489 Ext. 247

ATTN: ROGER CAMPBELL COUNTY AL ESTATE DIVISION 222 S HILL STREET, 4TH FLOOR LOS ANGELES, CA 90012

BALLOT

PROPERTY OWNER ASSESSMENT BALLOT

052

CITY OF MALIBU ASSESSMENT DISTRICT NO. 2015-1 (CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)

The City of Malibu is proposing to levy new assessments in the proposed City of Malibu Civic Center Assessment District No. 2015-1 (Wastewater Treatment Facility - Phase 1) that includes your property. The purpose of the assessment is to fund the estimated costs of installing and constructing wastewater treatment facilities and recycled water facilities serving the property within the District No. 2015-1 and all related administrative, financing and incidental costs, including the costs of forming Assessment District No. 2015-1. On August 10, 2015, at 6:30 p.m., the City Council of the City of Malibu will hold a public hearing in the City Hall Council Chambers, 23825 Stuart Ranch Road, Malibu, California, to take public testimony, hear protests. tabulate the Assessment Ballots and take final action on the levy of the assessments. Ballots must be received by the City Clerk prior to the close of the Public Hearing.

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For additional information about the assessment for the District, please contact the Public Works Department.

ASSESSMENT DISTRICT NO. 2015-1 (CIVIC CENTER WASTEWATER TREATMENT FACILITY - PHASE 1)

Assessment Number: 052

Assessor's Parcel Number: 4458-022-906

Owner Name: LA COUNTY Maximum Assessment for this Parcel: \$1,515,789.73					
Wastewater Treatment Facili and the annual administrative		YES			
I am OPPOSED to City of Wastewater Treatment Facili and the annual administrativ					
I hereby declare under pena parcel defined above.	Ity of perjury that I am the record owner, or the authorize	d representative	e of the record owner for the		
Printed Name	Signature		Date		

If you are the owner of the property described on the enclosed ballot, or the authorized representative of the record owner, you may submit the enclosed ballot to the City to support or oppose the City of Malibu Assessment District No. 2015-1 (Civic Center Wastewater Treatment Facility – Phase 1) (the "Assessment District"). Please follow the instructions below to complete and return your ballot.

- 1. Register your vote on the enclosed ballot in favor or against the proposed Assessment District by placing an "X" in the corresponding box.
- 2. Mark and sign your ballot in ink. (Assessment Ballots received without a signature will not be counted.) Do not use pencil.
- 3. Refold and insert your ballot into the provided return envelope and seal the envelope. The barcode and your name and property address must show through the upper left window on the return envelope.
- 4. Mail or personally deliver your ballot to the City Clerk of the City of Malibu, 23825 Stuart Ranch Road, Malibu, CA 90265. The City *must* receive <u>mailed</u> assessment ballots by August 10, 2015. **Postmarks will not be accepted.**
- 5. Assessment Ballots must be <u>received</u> by the City Clerk prior to the close of the Public Hearing concerning the proposed Assessment District on Monday, August 10, 2015, at the Malibu City Hall Council Chambers. The Public Hearing is scheduled for 6:30 p.m. Any ballots received after the close of the Public Hearing cannot legally be counted.
- 6. Following the close of the Public Hearing, the City Clerk or designee will tabulate the assessment ballots received. The ballots are weighted by the assessment amount for each property. (Simplified, this means one vote per each dollar of assessment.)
- 7. The Assessment District may be confirmed unless a majority protest exists. A majority protest exists if, upon the close of the August 10, 2015 Public Hearing, the monetary value of the ballots submitted in opposition to the Assessment District exceeds the monetary value of the ballots submitted in favor of the Assessment District.
- 8. If a majority protest exists based upon the value of the ballots received by the City Clerk, prior to the close of the August 10, 2015 Public Hearing, the Assessment District will not be formed.
- 9. Your assessment ballot is not confidential and may be subject to public disclosure.

The information in this notice and the accompanying materials were compiled and are distributed at public expense by the City of Malibu in compliance with Proposition 218. This information is presented in the public interest. It is not intended to influence or attempt to influence the actions of the voters to vote "yes" or "no" on the enclosed hallot.

SHEET 1 OF 2	ASSE	SSMENT DIAGRAM FOR	
	ASSESSI	MENT DISTRICT NO. 2015-1	
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	CIVIC CENTED WASTE	CITY OF MALIBU	
	CIVIC CENTER WASTE	WATER TREATMENT FACILITY - PHASE	: I)
	LOS ANG	ELES COUNTY, CALIFORNIA	
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Filed in the office of the City Clerk of the City of	Recorded in the office of the City Engineer		
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City Clerk of the City of Malibu		an exact description of the lines and dimensions of each lot and parcel.	N '
County of Los Angeles, State of California	Robert Brager, P.E.		· /
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of Maps of Assessment and Community Facilities Districts	* .		
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